



June 20, 2014

VIA ECF and U.S. MAIL

Magistrate Judge Douglas E. Arpert
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

**Re: *Dunkin' Donuts Franchising LLC, et al. v. C3Wain Inc., et al.*
3:13-cv-6865-PGS-DEA – Third-Party Depositions**

Dear Magistrate Judge Arpert:

Plaintiffs write to request the Court's permission to take the depositions of third-parties Raji Ramachandran and the Rule 30(b)(6) representative of Geensphere, Inc. (collectively, the "Deponents") after the close of discovery.¹ Plaintiffs make their request due to the unavailability of counsel for the Deponents, as well as counsel for Defendants, on the presently noticed deposition date of June 24, 2014. Plaintiffs seek the Court's permission to depose the Deponents during the week of July 7, 2014, instead. Fact discovery in this matter is currently set to close on June 30, 2014.

Since June 17, 2014, Plaintiffs actively attempted to schedule the depositions of the Deponents, but scheduling conflicts and disputes between counsel over subpoenaed documents impeded those efforts. On or around Monday, June 9, 2014, counsel for Plaintiffs and counsel for the Deponents were able to agree to a date of June 24, 2014, for the depositions. However, counsel for the Deponents has recently indicated that they are no longer available on that date. Counsel for Defendants has also indicated they are unavailable on that date.

The parties were unable to find a new date for the depositions before the close of discovery. Counsel for the Deponents has indicated that they are likely available for depositions during the week of July 7. Thus, Plaintiffs seek the Court's permission to depose the Deponents during the week of July 7, 2014. Furthermore, should the Court order Greensphere to produce

¹ It is Plaintiffs' understanding that Raji Ramachandran will be Geensphere, Inc.'s Rule 30(b)(6) representative; thus, the depositions will likely run concurrently.

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additional documents in light of Plaintiffs' May 29, 2014 letter to the Court, Greensphere may have an opportunity to produce those additional responsive documents before the week of July 7, 2014.

Respectfully submitted,

/s/ Robert B. Nussbaum

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